UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,978	06/29/2001	Michael Bradford Ault	AUS920010373US1	9274

7590 02/10/2006	EXAMINER
Duke W. Yee	POLTORAK, PIOTR

ART UNIT	PAPER NUMBER
2134	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/895,978	AULT ET AL.
	Examiner	Art Unit
	Peter Poltorak	2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 October 2005.*
2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-40* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-40* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. In view of applicant remarks in the Appeal Brief filed on 10/31/05,

PROSECUTION IS HEREBY REOPENED.

To avoid abandonment of the application, appellant must exercise one of

the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a

reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31

followed by an appeal brief under 37 CFR 41.37. The previously paid notice of

appeal fee and appeal brief fee can be applied to the new appeal. If, however,

the appeal fees set forth in 37 CFR 41.20 have been increased since they were

previously paid, then appellant must pay the difference between the increased

fees and the amount previously paid.

2. Claims 1-40 have been examined.

3. In Appeal Brief filed on 10/31/05 applicant argues that not enough weight has
   been given to the definition of the term "registries" recited in claim language
   (in particular in the independent claim 1) and points out to the specification,
   which defines the "registries" as "**the databases that store data for use in
   authentication users**" *(Appeal Brief, pg. 11-13).*

4. This office action addresses applicant's concerns in regard to the definition of
   "registries" cited by applicant in the specification.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1-19 are rejected under 35 U.S.C. 101 because the claimed invention as a whole must produce a "useful, concrete and tangible" result to have a practical application.

6. Claims 1 and 10 are directed towards an intended use of the instructions. The examiner acknowledges that use of such a language only requires that a method have the capability to perform a particular function not that it actually performs them. Claim 1 does not clearly defines what operations are performed and what is an output of these operations. As a result the claim 1 as understood is directed simply to receiving and sending instructions.

7. Furthermore, although the claims are directed to accessing user registries, the steps are not defined in such a way that they could not be implemented without the use of computers, e.g. implemented by utilizing a pen and paper or a thought. As a result, the claims refer to abstract ideas.

8. Claims 2-9 and 11-19 are rejected by virtue of their dependence.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 10-19 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject

matter which applicant regards as the invention.

10. Claim 10 recites "forwarding to" but it is not clear what "is forwarded to said first

registry".

11. Claims 11-19 are rejected by virtue of their dependence.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. Claims 1, 6-10, 15-20, 25-29, 34-40 are rejected under 35 U.S.C. 103(a) as

obvious over Hadfield et al. (Lee Hadfield, Dave Hater, Dave Bixler,

"Windows NT Server 4 Security Handbook", 1997, ISBN: 078971213) in view

of Regnier et al. (U.S. Patent No. 6134549).

13. As per claim 1 Hadfield teach a Windows NT environment (system) that

comprises Windows NT servers (pg. 146). Hadfield et al. teach an

authentication process that "uses the SAM database as the container for all

account security information". Hadfield et al. provides and example where

"part A accepts user log-on information and Part B compares the log-on

information to the SAM database information" *(Hadfield et al., pg. 169, "The*

authentication process".

14. SAM database reads on the registry as defined by applicant.

15. Also, *Hadfield et al.* teach SQL Server and Web server that runs in the

Windows NT environment (on Windows NT Server) and implements SQL

database. *Hadfield et al.* discloses security measures that increase SQL

Server (ran on Windows NT Server). One of the steps implementing the

security measures is "An. IDC file lists a user name and optionally, a

password, which must be valid for the SQL Server database you want to

access" *(Hadfield et al., pg. 356-358, "Security and Publishing SQL Server*

Data with IIS").

16. *Hadfield et al.* discloses other databases used in Windows NT environment:

User and Groups database *(Hadfield et al., Fig. 8.1 pg. 213),* events database

(Hadfield et al., Fig. 8.11, pg. 219) etc.

17. Thus the SQL database and User and Groups contain information that are

used in authentication of users and as a result they read on registries as

defined by applicant.

18. Furthermore *Hadfield et al.* teach Access Control List (ACL), which is a

database containing information access and auditing permissions allowed on

that object by users and groups *(Hadfield et al., pg. 83, "How the Access*

Control List (ACL) Works").

19. The examiner points out that Windows NT environment that include Windows

NT servers just as any other computer running an operating system comprise

additional variety of databases: e.g. a File System database etc. These files

are used while serving requests of users.

20. The examiner points out that even though a plurality of databases such as

SAM and SQL explicitly read on the plurality of user registries, other

databases also meet the abbreviated definition presented by applicant in the

specification.

21. The examiner points out that a "recitation with respect to the manner in which

a claimed apparatus is intended to be employed does not differentiate the

claimed apparatus from a prior art apparatus" if the prior art apparatus

teaches all the structural limitations of the claim. Ex parte Masham, 2

USPQ2d 1647 (Bd. Pat. App. & Inter. 1987). In the particular case the term

"for" in the phrase: "the databases that store data for use in authentication

users" ("user registries" definition in the specification). As a result the

definition is treated as the intended use of the databases and even if *Hadfield*

et al. did not teach the plurality of registries as discussed above, it would have

been obvious to one of ordinary skill in the art at the time of applicant's

invention to store any data in the other databases (e.g. event database, File

System database etc. which would have read on registries) disclosed by

Hadfield et al. including data used in authentication users given benefit of a

quick retrieval of the information.

22. *Hadfield et al.* do not explicitly teach registry-independent instructions that

result in sending registry-dependent instructions to perform the operation on

the given user registry.

23. *Regnier et al.* teach registry-indpendent instruction that result in sending

registry-dependent instruction to perform the operation on a registry *(col. 11*

lines 54-64). It would have been obvious to one of ordinary skill in the art at

the time of applicant's invention to implement registry-independent

instructions that result in sending registry-dependent instructions to perform

the operation on the given user registry as taught by *Regnier et al.* One of

ordinary skill in the art would have been motivated to perform such a

modification in order to provide registry-independent functionality and to

reduce the programming load on the system administrator *(col. 2 lines 4-13).*

24. Claims 10, 20, 29, 39 and 40 are substantially equivalent to claim 1; therefore

claims 10, 20, 29, 39 and 40 are similarly rejected.

25. Also, as per claims 39 and 40 Windows is implemented on computers that

comprise a bus system, CPU and memory.

26. As per claims 6-9, 15-18, 25-28, 34-37 data read from a user registry *(e.g.,*

user name of a user object) must have been first written into the registry *(e.g.*

using User Manager to create a user object, Hadfield et al., *Fig. 8.1 pg. 213).*

27. As per claim 19 and 38 Official Notice is taken that implementing a

completion status code is old and well-known practice in the art *(e.g. Merrill et*

al. (U.S. Patent No. 4942552, col. 10 lines 3-5).

28. It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to implement a completion status code. One of ordinary

skill in the art at the time of applicant's invention would be motivated to

employ a completion status code in order to assure the correct execution of

the program.

29. Claims 2-5, 11-14, 21-24 and 30-33 are rejected under 35 U.S.C. 103(a) as

obvious over *Hadfield et al.* *(Lee Hadfield, Dave Hater, Dave Bixler,*

"Windows NT Server 4 Security Handbook", 1997, ISBN: 078971213) in view

of *Regnier et al. (U.S. Patent No. 6134549)* and further in view of *Murray et*

al. (William H. Murray, III and Chris H. Pappas, "Windows programming, an

Introduction, 1990, ISBN: 0078815363).

30. *Hadfield et al.* teach the system that includes Windows NT server running

Windows NT operating system as discussed above. Also, *Hadfield et al.*

discloses that Windows NT is an object oriented system *(Hadfield et al., pg.*

67, The Object Manager).

31. *Hadfield et al.* do not explicitly teach that the registry-independent instruction

is a function call in a dynamically-linked library (DLL).

32. As per claim 2-3 *Murray et al.* teach that Windows applications make DLLs

calls, and that DLLs contain predefined functions that link with application

programs.

It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to use the registry-independent instruction that are the

function calls to a function in a DLL *(Murray et al., Dynamic Link Libraries, pg.*

15). One of ordinary skill in the art would have been motivated to perform

such a modification in order to implement standard functions without need to

re-create new procedures for common operations *(Murray et al., Dynamic Link Libraries, pg. 15).*

33. As per claims 4-5 *Murray et al.* teach that when programming for Windows object-oriented programming is used, an object is an abstract data type that consists of a data structure *(object, e.g. a user object)* and various functions *(methods)* that act on the data structure *(Murray et al., pg. 27 §2).* It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement the function call to be a method of an object class in an object-oriented programming language as taught by *Murray et al.* One of ordinary skill in the art would have been motivated to perform such a modification in order to communicate in the Windows environment and to simplify the program *(Murray et al., pg. 15 § 5-6).*

34. Claims 11-14, 21-24 and 30-33 are substantially equivalent to claims 2-5; therefore claims 11-14, 21-24 and 30-33 are similarly rejected.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Poltorak whose telephone number is (571)272-3840. The examiner can normally be reached Monday through Thursday from 9:00 a.m. to 4:00 p.m. and alternate Fridays from 9:00 a.m. to 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (571) 272-3838. The fax
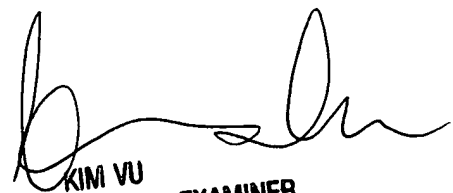
phone number for the organization where this application or proceeding is

assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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http://pair-direct.uspto.gov. Should you have questions on access to the

Private PAIR system, contact the Electronic Business Center (EBC) at 866-

217-9197 (toll-free).

1/20/06

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by

signing below:

KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100